

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF CALIFORNIA

STEPHEN H. DAVIS,

No. C 05-04508 CRB

Plaintiff,

ORDER

v.

CIPHERTRUST INC,

Defendant.

Now before the Court is plaintiff's Motion for Remand. For the reasons stated in open court, the motion is DENIED. Defendant has submitted sufficient evidence to satisfy its burden of proving by a preponderance of the evidence that the amount in controversy exceeds \$75,000.

IT IS SO ORDERED.

Dated: January 6, 2006


CHARLES R. BREYER
UNITED STATES DISTRICT JUDGE